

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

SAYFULLO HABIBULLAEVIC SAIPOV,

Defendant.

S1 17 Cr. 722 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

The parties shall comply with the following pretrial schedule for both the guilt and, if necessary, penalty phases (unless indicated):

Expert Disclosures

December 9, 2019	Government's non-mental health expert initial disclosures pursuant to Fed. R. Crim. P. 16(a)(1)(G) due.
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February 3, 2020	Defendant's non-mental health expert initial disclosures pursuant to Fed. R. Crim. P. 16(b)(1)(C) for the guilt and penalty phases due.
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Defendant's notice of intent to introduce expert evidence on a mental condition pursuant to Fed. R. Crim. P. 12.2, including evidence bearing on either the issue of guilt (Rule 12.2(b)(1)) or the issue of punishment (Rule 12.2(b)(2)), due. If the defendant provides notice pursuant to Rule 12.2(b)(1), the defendant will also make corresponding disclosures pursuant to Rule 16(b)(1)(C) on the same day.¹

Motions in Limine and Jury Instructions

February 17, 2020	Motions <i>in limine</i> due.
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March 2, 2020	Responses to motions <i>in limine</i> due.
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¹ The Government will make expert disclosures, if any, that are responsive to the defendant's Rule 12.2(b)(1) expert disclosures as soon as they are completed following an examination of the defendant conducted pursuant to Rule 12.2(c)(1)(B).

March 9, 2020	Replies to motions <i>in limine</i> due.
Week of March 23, 2020	Argument, if necessary, on motions <i>in limine</i> .
March 23, 2020	Parties to file proposed jury instructions for both guilt and penalty phases.

Jury Selection

December 23, 2019	Parties to submit proposed questions for jury questionnaire. Parties to submit stipulated and non-stipulated questions for questionnaire, with written objections to non-stipulated questions. Parties to submit proposed <i>voir dire</i> procedures.
Week of March 2, 2020	Potential jurors to come to courthouse to fill out questionnaire.
March 30, 2020	Parties to file lists of stipulated and non-stipulated strikes for cause.
Week of April 6, 2020	Conference for Court to rule on strikes for cause. List of venire finalized and notified.

Exhibit List, Witness List, and 3500 Material


March 2, 2019	Government to produce its exhibit list, witness list, and 3500 material (if not yet produced) for both the guilt and penalty phases. The Government is directed to make these disclosures as complete as possible with the understanding that they may be subject to change as the Government continues to prepare for trial and respond to defense arguments to the jury.
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Penalty Phase Timing

Start of Penalty Phase	The penalty phase, if necessary, will commence approximately one week after the guilty verdict.
Within 24 hours of guilty verdict	The defendant will produce his exhibit list, witness list, and 3500 material.

SO ORDERED.

Dated: May 20, 2019
New York, New York


Vernon S. Broderick
United States District Judge